

# MEETING MINUTES

**MILPITAS PLANNING COMMISSION**  
**Milpitas City Hall, Council Chambers**  
**455 E. Calaveras Blvd., Milpitas, CA**

**Wednesday, May 23, 2018**

## I. PLEDGE OF ALLEGIANCE

**Chair Mandal** called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

## II. ROLL CALL/ SEATING OF ALTERNATE

**Present:** Chair Mandal, Commissioners Sandhu, Ciardella, Morris, Maglalang, Mohsin, Chua

**Absent:** All commissioners were present

**Staff:** Bradley Misner, Heather Lee, Lillian Hua, Tim Wong

### III. PUBLIC FORUM

**Chair Mandal** invited members of the audience to address the commission and there were no speakers.

#### IV. APPROVAL OF MEETING MINUTES

**Chair Mandal** called for approval of the May 9, 2018 meeting minutes of the Planning Commission.

**Motion** to approve Planning Commission meeting minutes.

Motion/Second: Commissioner Sandhu/Commissioner Mohsin

AYES: 6

NOES: 0

ABSTAIN: 1 Ciardella

## V. ANNOUNCEMENTS

Planning Director Bradley Misner said with summer coming he is looking at the meeting schedule, in the past there has been one meeting in the month of July and he will review the June schedule.

Commissioner Maglalang asked what transpired at the last city council meeting in regards to the commission stipend. Mr. Misner said that information would be covered in his presentation this evening.

## VI. CONFLICT OF INTEREST

**Deputy City Attorney Heather Lee** asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda.

There were no reported conflicts.

## VII. APPROVAL OF AGENDA

**Chair Mandal** asked if staff or Commissioners had changes to the agenda.

Mr. Misner requested that Item X-1 be moved to the beginning of the

agenda.

**Motion** to approve the May 23, 2018 agenda as amended.

Motion/Second: Commissioner Sandhu/Commissioner Mohsin

AYES: 7

NOES: 0

## **VIII. CONSENT CALENDAR**

**NO ITEMS**

## **IX. PUBLIC HEARING**

**IX-1 NEW MULTI-FAMILY HOUSING – 355 SANGO COURT – P-SD17-0017, P-DB17-0001, & P-EA18-0001:** An application for a Site Development Permit, Density Bonus, and Environmental Assessment to construct a multi-family apartment building consisting of 100-102 units with community space and offices for supportive services on a 1.26 gross acre site within the Transit Area Specific Plan.

This item was heard after Item X-1.

Project Planner Lillian Hua showed a presentation and discussed the project including density bonus concessions and waivers, and parking and parkland requirements.

Chair Mandal asked what the Area Median Income is in Santa Clara County, and Mr. Misner said it is \$113,000 for a family of four.

Commissioner Chua asked how it will be ensured that this project remains affordable housing, and Mr. Misner said it will be recorded on the property for a certain amount of time.

There was discussion regarding concessions and waivers. To receive the maximum density bonus of 35%, the project must provide either 11% very-low income units or 20% lower income units or 40% moderate income units. This requirement has been met as the developer is providing 68 extremely low-income units (67%), 17 very low-income units (17%), 16 low-income units (16%), and one manager's unit.

Commissioner Maglalang expressed concern with the low parking requirements. Because the project would include more than thirty percent (30%) of its total units as affordable housing for lower income households, it is entitled to a reduced maximum parking requirement, and the project meets the requirements of the Transit Area Specific Plan. Additionally, the Project site is within one-half mile of both the existing VTA light rail station on Capitol and Montague and the planned Montague BART Station.

Commissioner Ciardella asked if guest spaces could be designated for Uber or another similar shared ride service.

Baker Lyon of Resources for Community Development (RCD) was present and

showed a presentation. He said there is an unprecedented need for affordable housing, and they are working to increase the amount of parking beyond what is required.

Daniel Simons of David Baker Architects showed photos of similar housing projects and said they aim to be welcoming and cultivate a community connection.

Commissioner Chua had questions about the tenant selection process. Mr. Baker said there will be a pre-application period and they will conduct a lottery for those who have applied by the closing deadline. It will not be first come, first served.

Commissioner Maglalang asked if there would be a priority for Milpitas residents. Mr. Wong said staff will work with RCD in the process, and it might be possible to establish preferences for Milpitas residents by giving them more tickets to the lottery to increase their chances, but it is still early in the process.

Commissioner Mohsin left the meeting at 8:30 PM.

Chair Mandal opened the public hearing.

Nina Rizza, of Transform, said this project meets their standards and she recommended that the commission support this project.

Alison McDonald has been following this project with interest. She said there are many young students living in unstable housing situations, often doubled up with other families, and she would like to see the city to support this project.

Bob Stromberg of Destination Home said his organization is working to end homelessness in Santa Clara County, and that affordable housing is necessary and he would applaud the commission's efforts to move this forward and recommend approval to the city council.

**Motion** to close the public hearing.

Motion/Second: Commissioner Sandhu/Commissioner Ciardella

AYES: 6

NOES: 0

Commissioner Morris asked the motion maker to amend the resolution to include a shared ride area and to add a live-work clause to prioritize those who live or work in the city. Commissioner Chua did not agree to these additions.

**Motion** to Adopt Resolution 18-009, recommending approval of the above applications to the Milpitas City Council, subject to the Conditions of Approval.

Motion/Second: Commissioner Chua/Chair Mandal

AYES: 5

NOES: 1 Morris

## **X. NEW BUSINESS**

## **X-1 PLANNING COMMISSION TRAINING**

This item was heard first.

Mr. Misner said he wanted to begin the training series with a discussion on how meetings are conducted and provide a refresher course on basic meeting tenants. This evening the topic to be discussed is the commission's roles and responsibilities.

The Bylaws govern how the commission shall conduct business. Section 10 addresses commissioner conduct to ensure meetings are being conducted in a respectful, courteous manner and addresses items such as appropriate remarks, making decisions based on findings, and meeting preparation.

There was a previous recommendation for an increase in the commissioner's compensation and City Council directed staff to bring the issue back to city council on June 5, 2018. Mr. Misner will let the commissioners know what the outcome is.

## **X-2 AFFORDABLE HOUSING ORDINANCE PRESENTATION**

Tim Wong said when the city lost the Redevelopment Agency it lost the opportunity to produce affordable housing. It is looking at ways to fill the void, including affordable housing units, accessory dwelling units, and zoning incentives.

In June 2015, the city council passed a resolution to develop affordable housing. The proposed affordable housing ordinance would require new developments to contribute towards providing affordable housing in the city. New residential developments would provide affordable housing units, and non-residential developments would pay a fee, which would be dedicated for future affordable housing. Payment in-lieu of providing affordable housing units would need to be approved by city council.

In December 2016, the City completed an affordable housing impact fee Nexus Study, which analyzes the need for affordable housing generated by new development, and determines a maximum impact fee.

Commissioner Maglalang asked if accessory dwelling units (ADU) are part of the ordinance. Mr. Wong said ADUs are on their own separate track and will come to the commission and City Council shortly after the affordable housing ordinance.

## **XI. ADJOURNMENT**

The meeting was adjourned at 10:00 PM.

**Motion** to adjourn to the next meeting.

Motion/Second: Commissioner Sandhu/Commissioner Ciardella

AYES: 6

NOES: 0

*Meeting Minutes submitted by  
Planning Commission Secretary Elia Escobar*